

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

GEORGE RAIKOS, Individually, and on behalf of
others similarly situated persons,

Plaintiff,

v.

JPMORGAN CHASE & CO.,

Defendant.

Civil Action No. 1:08-cv-01274-JGK

ELECTRONICALLY FILED

DEFENDANT'S NOTICE OF MOTION TO DISMISS

PLEASE TAKE NOTICE that, on a date and time to be designated by the Court, Defendant JPMorgan Chase & Co., by and through its undersigned attorneys, will move this Court before the Honorable John G. Koeltl, pursuant to Rules 12(b)(6) and 23(c)(1) of the Federal Rules of Civil Procedure, for an order dismissing Plaintiff George Raikos's state law class claim in the Second Count of the Complaint. The support for this motion is fully set forth in the accompanying Memorandum of Law.

Pursuant to LCvR 6.1(b), any opposing memorandum shall be due no later than June 6, 2008, and any reply thereto shall be due no later than June 13, 2008.

Respectfully submitted,

DATED: May 22, 2008

/s/ Sam S. Shaulson

Sam S. Shaulson (SS 0460)
Morgan, Lewis & Bockius LLP
101 Park Avenue
New York, NY
212.309.6000
212.309.6001 (fax)

Sarah E. Bouchard (*admitted pro hac vice*)
Morgan, Lewis & Bockius LLP
1701 Market Street
Philadelphia, Pennsylvania 19103
(215) 963-5000
(215) 963-5001 (fax)

ATTORNEYS FOR DEFENDANT
JPMorgan Chase & Co.